IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION No.107 of 2005

Kalyanji Walji Pvt.Ltd. .. Petitioner

versus

M/s.Jayantilal Mangaldas & Sons .. Respondents

...

Mr.G.S. Godbole for the petitioner.

None for the respondent.

CORAM : B.H. MARLAPALLE,J

DATED : 5th September 2005.

P.C.:

1. Heard Mr.Godbole for the petitioner defendant in Special Summary Suit no.108 of 2001.

2. By the impugned order passed by the 8th Joint Civil Judge, Sr. Division, at Pune, the preliminary issue regarding jurisdiction has been decided against the defendant. Mr.Godbole, on instructions sought leave to withdraw the Revision Application with liberty to agitate the same issue before the appellate Court in case an occasion arises

for the defendant to file an appeal.

3. Leave granted and the Civil Revision Application is disposed of as withdrawn with liberty as prayed for.

B.H. MARLAPALLE, J